

REMARKS

Claims 1-23 are all the claims pending in the application.

Preliminary Matters

Applicant notes that the Examiner has initialed the PTO/SB/08 form submitted on September 1, 2006 indicating which references have been considered. Applicant also notes that the Examiner has not initialed the last reference listed (NEC Personal Robot Research Center, "NEC's Robot Technology", NEC Corporation, 2003, retrieved February 20, 2004, Internet URL: <http://www.nec.co.jp/robot/sikumi/01.html>). Applicant's representative spoke with the Examiner on January 16, 2009, and the Examiner indicated that he forgot to initial beside the above-mentioned reference. Applicant requests that the Examiner indicate that the above-mentioned reference was considered in the next issued Office Action.

Claim Rejections - 35 U.S.C. § 102 - Colvin reference

Claims 11, 16, and 20 currently stand rejected under 35 U.S.C. § 102 as allegedly anticipated by Colvin (U.S. Patent No. 6,799,277). Applicant respectfully traverses this rejection.

Claim 11

Applicant submits that Colvin fails to at least disclose "a decision unit that decides whether a condition that permits accepting said expansion data is satisfied". As a preliminary issue, Applicants note that at page 6 of the Office Action, the Examiner acknowledges that Colvin fails to disclose this limitation. Indeed, the user computer in Colvin does not decide

whether a condition that permits accepting expansion data is satisfied. In Colvin, the password is provided from a third party or other authorized software representative and is used to authorize the software. (Colvin, col. 10, lines 33-35). However, Colvin does not disclose any decision on the user end whether a condition that permits accepting additional data is satisfied. The user or user computer only receives the password and uses it to authorize the software. Colvin does disclose that a third party may decide whether or not to issue a password. (Colvin, col. 10, lines 28-53). However, such a decision is being made by the third party, rather than by the user computer. As such, Colvin fails to disclose the decision unit of claim 11 and thus fails to disclose all the elements of claim 11. Therefore, Applicant submits that claim 11 is patentable over Colvin.

Claim 20

Applicant submits that Colvin fails to disclose at least a presentation unit that “presents said expansion data to said user” (expansion data is “data that expands a function of said apparatus” and corresponds “to said password accepted by said password acceptance unit”, the password input by the user) or a selection acceptance unit “that accepts said expansion data selected by said user out of said plurality of expansion data presented by said presentation unit”. Colvin discloses a system where the security feature contacts an authorized software representative to obtain the password to authorize software. Assuming that the Examiner interprets the password disclosed in Colvin to be the password of claim 20, then the password of Colvin is only used to authorize the software. (Colvin, col. 10, lines 33-35). If the authorized software representative gives the user the password, the user may use it to authorize the software.

The user is not presented with software associated with the password and accordingly the user cannot select presented software. The password in Colvin is instead given to the user after the user has entered a serial number from a piece of software, rather than presenting expansion data corresponding to the accepted password for acceptance by the user as set forth in claim 20. Therefore, Colvin fails to disclose all the features of claim 20.

Claim 16

Claim 16 is patentable at least by virtue of its dependency on claim 11.

Claim Rejections - 35 U.S.C. § 103 - Colvin and Allahwerdi references

Claims 1, 2, 5, 6, 9, 10, 12, and 21-23 currently stand rejected as allegedly unpatentable over Colvin (U.S. Patent No. 6,799,277) in view of Allahwerdi (U.S. Patent No. 6,928,558). Applicant respectfully traverses this rejection.

Claim 1

Applicant submits that the combination of references fails to teach or suggest at least “a presentation unit that makes access to said table storage unit, to thereby obtain said plurality of expansion data corresponding to said password accepted by said password acceptance unit and present said expansion data to said user” or “a selection acceptance unit that accepts said expansion data selected by said user out of said plurality of expansion data presented by said presentation unit”. Colvin teaches a system where the security feature contacts an authorized software representative to obtain the password to authorize software. As discussed above, the password of Colvin is only used to authorize the software (Colvin, col. 10, lines 33-35); the user

is not presented with software associated with the password and accordingly the user cannot select presented software. Allahwerdi also fails to teach or suggest the presentation unit and selection unit of claim 1. Therefore, the combination of Colvin and Allahwerdi fails to teach or suggest all the elements of claim 1.

Additionally, Applicant submits that the combination of references do not teach or suggest an interrelation between the password, the expansion data, and the condition that permits accepting the expansion data as defined in claim 1. Claim 1 recites, *inter alia*, that the apparatus includes “a decision unit that decides whether a condition that permits accepting said expansion data is satisfied” and “a password output unit that makes access to said password storage unit and obtains said password for said expansion data corresponding to said decided condition, to output said obtained password to a user”. Claim 1 also recites that the data supply device includes “a presentation unit that makes access to said table storage unit, to thereby obtain said plurality of expansion data corresponding to said password accepted by said password acceptance unit and present said expansion data to said user”. Thus, both the decided condition and the expansion data are related to the password. The decided condition determines which password is output to the user, and then the expansion data presented to the user is determined by the password entered by the user. Therefore, the condition, password, and expansion data are all related.

In Colvin, a user is provided with a password associated with a piece of software. The password is associated only with the software, and does not correspond to any other condition decided in an apparatus. Thus, Colvin cannot teach the password of claim 1, as it does not teach a password associated with said plurality of expansion data acquirable under each said condition.

Allahwerdi also fails to teach or suggest the relation between the condition, password, and expansion data. The Examiner asserts that the GSM mutual authentication protocol involved SRES would require the receiving apparatus to verify the sender before accepting a download. However, an authentication involving SRES at least does not correspond to a password for expansion data. Instead, the authentication process would only authenticate the connection. Allahwerdi does not teach or suggest that there would be a password for expansion data corresponding to the success of the authentication.

Additionally, the references fail to teach or suggest “a password output unit that makes access to said password storage unit and obtains said password for said expansion data corresponding to said decided condition, to output said obtained password to a user” according to claim 1. The Examiner asserts that a device in Allahwerdi that generates a one-time password to be entered into the computer would teach the password output device of claim 1. However, the one-time password that is generated by the device is only used for authentication, and is not associated with expansion data or a condition. (Allahwerdi, col. 2, lines 24-36). If the one-time password matches the identification number on an authentication server, the connection is allowed. However, there is no teaching or suggestion that the one-time password is for expansion data corresponding to a decided condition. For instance, if a data supply device were presented with this one-time password, the data supply device would not be able to present expansion data associated with the one-time password because the one-time password is only matched with an identification number on the authentication server to decide whether to allow the connection, rather than being related to a password and expansion data. Therefore,

Allahwerdi fails to teach or suggest the password output unit of claim 1. Colvin also fails to teach or suggest the password output unit of claim 1. The user in Colvin is not provided with a password corresponding to a condition decided in the apparatus. Thus, Colvin cannot teach the password output unit of claim 1. Thus, claim 1 is patentable over the cited references.

Claims 21-23

Claims 21-23 are patentable for analogous reasons to those discussed with respect to claim 1.

Claims 2, 5, 6, 9, and 12

Claims 2, 5, 6, and 9 are patentable at least by virtue of their dependencies.

Claim 12 is dependent on claim 11. Applicant submits that Allahwerdi does not overcome the deficiencies of Colvin with respect to claim 11. Allahwerdi also fails to overcome the deficiencies of Colvin with respect to claim 12, and thus, claim 12 is patentable at least by virtue of its dependency.

Claim Rejections - 35 U.S.C. § 103 - Colvin and Takahiro references

Claims 13, 14, 18, and 19 currently stand rejected under 35 U.S.C. § 103 as allegedly unpatentable over Colvin (U.S. Patent No. 6,799,277) in view of Takahiro (Japanese Patent No. 2004-008270). Applicant submits that Takahiro fails to overcome the deficiencies of Colvin, and thus these claims are patentable at least by virtue of their dependencies.

Claim Rejections - 35 U.S.C. § 103 - Colvin and Yang references

Claim 15 currently stands rejected under 35 U.S.C. § 103 as allegedly unpatentable over Colvin (U.S. Patent No. 6,799,277) in view of Yang (U.S. Patent Pub. No. 2002/0106081). Applicant submits that Yang fails to overcome the deficiencies of Colvin, and thus, claim 15 is patentable at least by virtue of its dependency.

Claim Rejections - 35 U.S.C. § 103 - Colvin and Anderson references

Claim 17 currently stands rejected under 35 U.S.C. § 103 as allegedly unpatentable over Colvin (U.S. Patent No. 6,799,277) in view of Anderson (U.S. Patent Pub. No. 2003/0191952)². Applicant submits that Yang fails to overcome the deficiencies of Colvin, and thus, claim 17 is patentable at least by virtue of its dependency.

Claim Rejections - 35 U.S.C. § 103 - Colvin, Allahwerdi, and Takahiro references

Claims 3, 4, 7, and 8 currently stand rejected under 35 U.S.C. 103 as allegedly unpatentable over Colvin (U.S. Patent No. 6,799,277), in view of Allahwerdi (U.S. Patent No. 6,928,558), and in view of Takahiro (Japanese Patent No. 2004-008270). Applicant submits that Takahiro fails to make up for the deficiencies of Colvin and Allahwerdi, and thus, claims 3, 4, 7, and 8 are patentable at least by virtue of their dependencies.

² Applicant's representative contacted the Examiner regarding page 14 of the Office Action issued on December 17, 2008, which indicated that claim 17 rejected over Colvin in view of Yang. However, the text of the rejection referred to the Anderson reference. The Examiner issued a Supplemental Non-Final Rejection on January 15, 2009, replacing page 14 of the Office Action with a new page that correctly listed the Anderson reference.

RESPONSE UNDER 37 C.F.R. § 1.111
U.S. Appln. No.: 10/591,766

Attorney Docket No.: Q96603

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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